

ESTTA Tracking number: **ESTTA757996**

Filing date: **07/13/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92061981
Party	Defendant Yoel Steinberg
Correspondence Address	YOEL STEINBERG DBA CUPK KOSHER SUPERVISION 1823 53RD STREET BROOKLYN, NY 11204 UNITED STATES yoelhalevi@juno.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Yoel Steinberg
Filer's e-mail	yoelhalevi@juno.com
Signature	/ys/
Date	07/13/2016
Attachments	Consented Motion to Extend both cases 180 days.pdf(13362 bytes ) Exhibit of Consent to 180 day extension Granted by email.pdf(172639 bytes )



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Kosher Supervision Services, Inc.

Petitioner

v.

Yoel Steinberg

(*pro se*) Respondent

Cancellation Nos.

92061981 (parent case),

92062710.

CONSENTED MOTION

TO EXTEND

**CONSENTED MOTION TO EXTEND**

As consented by Petitioner, and as within the accompanying exhibited email(s), (attached with permission of Petitioner and McCarter and English) a further extension of 180 days is requested, for me to submit to the Board and service to Petitioner an amended Answer and Counterclaim within parent case 92061981, and likewise for Answer and Counterclaim within 92062710, including an extension of the dates for Discovery and all other scheduled dates within both proceedings.

**Grounds for Motion:**

Motion is Pursuant to TBMP 509.01(b) which allows extension of time for good cause. The instance good cause being that the parties are conducting discussions with the objective of reaching amicable settlement on terms viewed favorable by both parties.

This motion is NOT necessitated out of lack of diligence nor to cause needless delay. Neither is it moved in bad faith nor out of abuse of privilege. We need to be able to implement settlement on mutually favorable terms without further complications which may arise as a result of my Answers and Counterclaims.



Applicable Authorities:

*National Football League v. DNH Management LLC*, 85 USPQ2d 1852, 1854 (TTAB 2008) (“the Board is liberal in granting extensions of time before the period to act has elapsed so long as the moving party has not been guilty of negligence or bad faith and the privilege of extension is not abused”).

**CONCLUSION**

Motion to extend should be granted as stated above.

Respectfully submitted,

Dated July 13, 2106

By:

Yoel Steinberg

Yoel Steinberg  
D/B/A CupK Kosher Supervision  
1823 53rd Street  
Brooklyn, NY, 11204  
Phone (718) 232-4275

*Pro se`* Registrant/Respondent

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **MOTION TO EXTEND**, and exhibits, in regard to the Proceedings of Cancellation No. 92061981 (parent case), and 92062710, has been served on opposing counsel, MICHAEL R FRISCIA, of MCCARTER & ENGLISH, LLP by mailing said copy on July 13, 2016, via First Class Mail, postage prepaid to:

MICHAEL R FRISCIA  
MCCARTER & ENGLISH, LLP  
FOUR GATEWAY CENTER, 100 MULBERRY STREET  
NEWARK, NJ 07102-4056 UNITED STATES

Dated July 13, 2016

Signature

Yoel Steinberg

Yoel Steinberg





**From:** "Rodrigue, Carissa L." <CRodrigue@McCarter.com>

**To:** "yoelhalevi@juno.com" <yoelhalevi@juno.com>

**Cc:** "Popovic, Deborah A." <DPopovic@McCarter.com>, "Friscia, Michael" <MFriscia@McCarter.com>, "arisenter@kof-k.org" <arisenter@kof-k.org>, "yrosenbaum@kof-k.org" <yrosenbaum@kof-k.org>

**Sent:** Wed, Jul 13, 2016 12:37 PM

**Subject:** Re: extension proposal to send to your lawyer

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Dear Rabbi Steinberg,

By this email, we consent to 180-day extensions of all deadlines in cancellation proceeding Nos. 92061981 and 92062710.

Per your email below, we understand that you consent to a 180-day extension of our deadline to answer the notice of opposition in opposition proceeding no. 91227481. Please confirm this by return email.

Regards,

Carissa Rodrigue

On Jul 13, 2016, at 11:30 AM, "yoelhalevi@juno.com" <yoelhalevi@juno.com> wrote:

----- Forwarded Message -----

From: "yoelhalevi@juno.com" <yoelhalevi@juno.com>

To: [arisenter@kof-k.org](mailto:arisenter@kof-k.org)

Subject: Re: Fwd: extension proposal to send to your lawyer

Date: Wed, 13 Jul 2016 15:25:44 GMT

ok

Apologies

I thought this was taken care of.

Please send me the email that I can show the interloc, so that we can both have the 6 month extension.

Or if you want only three months for you that's also ok with me as long as I have your consent to the stipulation for 6 months for me.

As by last time around it's the interloc's strict demands that are making this harder than it should be. If stipulating for email service would make cheaper for you we can also stipulate this one time for email service.

I really need regular mail service because my computer is not always on. But since we are anticipating a soon resolution. I hope we won't need many more services.



----- Original Message -----

From: Ari Senter <[arisenter@kof-k.org](mailto:arisenter@kof-k.org)>  
To: "yoelhalevi@juno.com" <[yoelhalevi@juno.com](mailto:yoelhalevi@juno.com)>  
Subject: Fwd: extension proposal to send to your lawyer  
Date: Wed, 13 Jul 2016 10:59:29 +0000

Please see below please be in email contact to Carissa to resolve

Sent from my iPhone

Begin forwarded message:

**From:** Yehuda Rosenbaum <[yrosenbaum@kof-k.org](mailto:yrosenbaum@kof-k.org)>  
**Date:** July 13, 2016 at 5:17:25 AM EDT  
**To:** Ari Senter <[arisenter@kof-k.org](mailto:arisenter@kof-k.org)>  
**Subject:** Fwd: extension proposal to send to your lawyer

Very important read below

Rabbi Yehuda Rosenbaum  
KOF-K  
201 491 4610  
Sent from iPhone please excuse the brevity

Begin forwarded message:

**From:** "Rodrigue, Carissa L." <[CRodrigue@McCarter.com](mailto:CRodrigue@McCarter.com)>  
**Date:** July 12, 2016 at 11:35:27 PM EDT  
**To:** 'Yehuda Rosenbaum' <[yrosenbaum@kof-k.org](mailto:yrosenbaum@kof-k.org)>  
**Cc:** "Frischia, Michael" <[MFriscia@McCarter.com](mailto:MFriscia@McCarter.com)>  
**Subject:** RE: extension proposal to send to your lawyer

Dear Rabbi Rosenbaum,

Yoel Steinberg's email authorization below is problematic because he conditions his consent to extend the deadline for our answer to the notice of opposition not only on our consent to his proposed motion to extend deadlines in the cancellation proceedings (which we understand you would like to provide) *but also on the Board's granting of his motion to extend*. The Board may not act on a motion to extend deadlines filed by Steinberg by Friday, which is the deadline for our answer.

Prior to receiving Yoel Steinberg's email authorization below, Michael emailed him in response to a separate email he sent us today to say that we urgently need to know whether he will consent to a 90 day extension for our answer to the notice of opposition. Michael's email is attached. Yoel Steinberg has not yet responded to this email.

If Yoel Steinberg does not respond to Michael's email by late morning tomorrow, we intend to contact him to say that we agree to a 6 month extension of all scheduled dates in the two cancellation proceedings, but given that our deadline to file an answer to the notice of opposition is this Friday, we cannot wait to see if the extension in the cancellation proceedings is granted before filing our request to extend the deadline for our answer, and ask him to confirm as soon as possible that we have his consent to a 90-day extension to answer the notice of opposition.

Regards,



Carissa

This email message from the law firm of McCarter & English, LLP is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.